

**REMARKS**

Reconsideration of the present application is respectfully requested in view of the following remarks. Prior to entry of this response, Claims 1-17 were pending in the application, of which Claims 1, 9, 14, and 15 are independent. In the Office Action dated January 13, 2005, Claims 1-13 were rejected under 35 U.S.C. § 112 and Claims 9, 15, and 17 were rejected under 35 U.S.C. § 102(b). Claim 16 was objected to, but was deemed allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Claim 1 was deemed allowable if rewritten to over come the rejection under 35 U.S.C. § 112. Claims 2-8 and 10-13 were deemed allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims and if rewritten to over come the corresponding rejections under 35 U.S.C. § 112. Claim 14 was allowed. Following this response, Claims 1-17 remain in this application. Applicants hereby address the Examiner's rejections in turn.

I. Allowable Subject Matter

Claim 14 was allowed and claims 1-8, 10-13, and 16 were found to contain allowable subject matter. Applicants thank Examiner for this finding.

II. Amendments to the Specification

The specification has been amended to include the serial numbers of co-pending patent applications. Applicants respectfully submit that the amendments add no new matter.

III. Rejection of the Claims Under 35 U.S.C. § 112, Second Paragraph

In the Office Action dated January 13, 2005, Claims 1-13 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that the Applicants regard as their invention. Applicants respectfully traverse this rejection, but have amended claims 1 and 9 to advance this application to allowance. These amendments are clarifying only and are not intended to limit the scope of the claims.

Applicants respectfully request withdrawal of this rejection.

IV. Rejection of Claim 9 Under 35 U.S.C. § 102(b)

In the Office Action, Claim 9 stands rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,416,364 ("Divjak"). Applicants respectfully traverse this rejection.

Claim 9 is patentably distinguishable over the cited art for at least the reason that it recites, for example, "a transformer that includes a primary winding that is coupled to the distribution line." In contrast, *Divjak* at least does not disclose the aforementioned recitation. For example, *Divjak* is not directed to an electric distribution line at all. If the input and/or outputs shown in FIG. 2 were connected to an electric distribution line, discrete electrical components shown in FIG. 2 at least could not withstand the electric distribution line voltage leaving *Divjak* inoperable. Accordingly, this inoperability highlights that the invention, as claimed, is directed toward and provides an entirely different solution than that contemplated by *Divjak*.

In sum, *Divjak* does not anticipate the claimed invention because *Divjak* at least does not disclose "a transformer that includes a primary winding that is coupled to the distribution line", as recited by Claim 9. Accordingly, independent Claim 9 patentably distinguishes the present invention over the cited art, and Applicants respectfully request withdrawal of this rejection of Claim 9.

V. Rejection of Claims 15 and 17 Under 35 U.S.C. § 102(b)

In the Office Action, Claims 15 and 17 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,310,805 ("*Hackert*"). Applicants respectfully traverse this rejection.

Claim 15 is patentably distinguishable over the cited art for at least the reason that it recites, for example, "a means for generating that is arranged to generate a carrier frequency for the transmitter in response to the transmitter frequency and a data signal such that the carrier frequency is changed according to the data signal."

In contrast, *Hackert* at least does not disclose the aforementioned recitation. For example, *Hackert* discloses a constantly-received carrier at some frequency  $f_{in}$  (e.g. 5010 Hz.) that is used as a reference. The incoming carrier of *Hackert* is 180 degrees phase-shift-modulated. Furthermore, the input signal processing means 11' is a full-wave rectifier, utilizing a pair of diodes 90a and 90b, having their cathodes connected to a load resistor 91, and a signal inverter 92, including an operational amplifier 93 having equal resistances  $R_a$  connected, as a feedback resistance 94 and an input resistance 95, to the operational amplifier inverting input. (See col. 8, lines 27-39.)

*Therefore, Hackert* merely discloses a constantly-received carrier at some frequency  $f_{in}$  (e.g. 5010 Hz.) that is used as a reference, and fails to disclose a carrier frequency that is changed according to the carrier frequency. *Hackert* does not anticipate the claimed invention because *Hackert* at least does not disclose "a means for generating that is arranged to generate a carrier frequency for the transmitter in response to the transmitter frequency and a data signal such that the carrier frequency is changed according to the data signal." Independent Claim 15 patentably distinguishes the present invention over the cited art, and Applicants respectfully request withdrawal of this rejection of Claim 15.

Dependent Claim 17 is also allowable at least for the reasons described above regarding independent Claim 15, and by virtue of its dependency upon independent Claim 15. Accordingly, Applicants respectfully request withdrawal of this rejection of dependent Claim 17.

Moreover, Applicants respectfully request withdrawal of the objection to dependent Claim 16 at least for the reasons described above regarding independent Claim 15, and by virtue of its dependency upon independent Claim 15.

## VI. Conclusion

In view of the foregoing remarks, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of the pending claims. Applicants note that there may be other reasons that the claims are patentably distinct from the cited references in addition to those raised herein and reserve the right to raise any such reason or related argument in the future.

Furthermore, the Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 13-2725. Feel free to contact the undersigned attorney if there are any questions or if a telephone interview otherwise would be helpful in advancing this application to allowance.

Respectfully submitted,

By:

D. Kent Stier  
Reg. No. 50,640

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PATENT TRADEMARK OFFICE

Merchant & Gould  
P.O. Box 2903  
Minneapolis, Minnesota 55402-9946  
Telephone: 404.954.5066

DKS:mdp